

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

MISSOURI STATE CONFERENCE OF  
THE NATIONAL ASSOCIATION FOR  
THE ADVANCEMENT OF COLORED  
PEOPLE, et al.,

Plaintiffs,

V.

WENTZVILLE R-IV SCHOOL  
DISTRICT,

Defendant.

Case No. 4:22-cv-191-MTS

## JOINT PROPOSED SCHEDULE

COME NOW, Plaintiffs and Defendant (collectively, “the parties”), by and through their attorneys, and respectfully submit the following Joint Proposed Scheduling Plan pursuant to this Court’s Order of May 11, 2022 (ECF No. 41):

### I. Scheduling Plan:

1. The parties agree that this case is properly assigned to Track 3 (Complex).  
  
However, the parties believe that this case could be resolved within timelines more consistent with a Track 2 schedule and have proposed deadlines accordingly.
2. All motions for joinder of additional parties or amendment of the pleadings should be filed no later than **July 29, 2022**.
3. Discovery shall proceed in the following manner:
  - (a) The parties agree to produce all electronically stored information (ESI) in either Portable Document Format (PDF) or the format

maintained (the Native Format). If the party receiving the information does not have the capability to read the ESI in Native Format, the parties agree that the producing party will, if possible, either provide access to software capable of reading such ESI or to produce such ESI in PDF format or another format agreed upon in writing by the parties.

- (b) The parties shall make all disclosures required by Fed. R. Civ. P. 26(a)(1) no later than **June 16, 2022**.
- (c) Discovery need not be conducted in phases or limited to certain issues.
- (d) Plaintiffs shall designate all expert witnesses and provide the reports required by Fed. R. Civ. P. 26(a)(2) no later than **August 5, 2022**, and shall make the expert witnesses available for depositions and have the depositions completed no later than **September 2, 2022**.
- (e) Defendant shall designate all expert witnesses and provide the reports required by Fed. R. Civ. P. 26(a)(2) no later than **September 2, 2022**, and shall make the expert witnesses available for depositions and have the depositions completed no later than **October 7, 2022**.
- (f) Absent good cause shown, the limits of ten (10) depositions per side and twenty-five (25) interrogatories per side should apply in

this case as the parties do not anticipate each side needing more than twenty-five interrogatories.

(g) No physical or mental examinations are anticipated.

(h) The parties shall complete all discovery in this case no later than **November 18, 2022**.

4. The parties believe that referral of this action to mediation would be appropriate after **September 9, 2022**, to terminate on **November 30, 2022**.
5. Any dispositive motions and motions to exclude testimony pursuant to *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993) or *Kuhmo Tire Co. Ltd v. Carmichael*, 526 U.S. 137 (1999), must be filed no later than **February 24, 2023**. The response to any such motion will be due within 21 days of the filing of the motion. The reply to any such response will be due within 10 days of the filing of the response.

**II. Trial.** The parties submit that this case will be ready for trial on or after **October 2, 2023**. It is anticipated that the length of time to try the case will be approximately **4 days**.

Respectfully submitted,

/s/ Molly E. Carney  
Molly E. Carney, #70570MO  
Anthony E. Rothert, #44827MO  
Jessie Steffan, #64861MO  
Emily Lazaroff, #73811MO  
ACLU of Missouri Foundation  
906 Olive Street, Suite 1130  
St. Louis, Missouri 63101  
Phone: (314) 652-3114  
Fax: (314) 652-3112

mcarney@aclu-mo.org  
trothert@aclu-mo.org  
jsteffan@aclu-mo.org  
elazaroff@aclu-mo.org

Gillian R. Wilcox, #61278MO  
ACLU of Missouri Foundation  
406 W. 34th Street, Suite 420  
Kansas City, Missouri 64111  
Phone: (816) 470-9938  
gwilcox@aclu-mo.org

Vera Eidelman  
ACLU Foundation  
125 Broad St., 18 Fl.  
New York, NY 10004  
Phone: (212) 549-2500  
veidelman@aclu.org

*Attorneys for Plaintiffs*

EDCOUNSEL, LLC

By: /s/ J. Drew Marriott  
J. Drew Marriott, #63059  
[dmarriott@edcounsel.law](mailto:dmarriott@edcounsel.law)  
Matthew D. Wilson #59966  
[mwilson@edcounsel.law](mailto:mwilson@edcounsel.law)  
2833B E. Battlefield St., Ste. 100  
Springfield, Missouri 65804  
(417) 755-7190  
(855) 876-4740 (facsimile)  
ATTORNEYS FOR DEFENDANT